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From: CN=Marianne Holsman/OU=R10/O=USEPA/C=US
Sent: Tue 10/18/2011 9:27:50 PM
Subject: Fw: Pebble questions

Hi. More questions from the Frontline reporter, Blaine Harden. This is very helpful. Hanady and Judy, please add these to your mix.

Ex. 5 - Deliberative

Thank you.

Marianne Holsman
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From: Blaine Harden
To: Marianne Holsman/R10/USEPA/US@EPA
Date: 10/18/2011 02:18 PM
Subject: Pebble questions

Marianne Holsman
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Marianne,

Here are some of the things I'd like to learn about at the 2 pm meeting. This is a background interview in preparation for an on-camera interview in the future.

1. Exactly what is the relevant language from the Clean Water Act that gives the EPA authority to review the Bristol Bay water shed and assess the possible impact of Pebble? Under what conditions can the 404 C preemptive authority to halt the project be used -- and is that a possibility in the Pebble case?

1A -- Is there a scientific trip wire that would clearly force a decision to halt the project? Most experts on salmon agree that the demise of a salmon fishery is a slow death by a thousand cuts -- a bit of toxic

leakage, increased pollution in run-off from roads, changes in water flow, intermittent spills from a pipeline, etc. The image fishery biologists often use is this: A dead body turns up but there is no clear murderer and the fingerprints are muddy. Does that make it difficult for the EPA to decide to halt a proposal like Pebble?

1B -- Who makes the decision? Is the White House involved?

2. I have learned a lot about the possible harmful effects of low-level copper exposure to salmon from NOAA researchers: In effect, it plugs their nose and harms ability to imprint juvenile memories, avoid predators and spawn. Advocates of the mine say that low-level copper exposure would not be a problem because in the streams and lakes around the mine, copper would bind chemically with organic carbon compounds and become nontoxic for salmon. I am wondering if EPA is looking into this issue and if anything is known at this point about the organic carbon levels in streams and lakes in the vicinity of the mine -- and if the low-level copper threat is likely to be high, medium or not real.

3. According to Tom Quinn at UW, the EPA's study panel includes a geomorphologist, Chris Frissell from the Pacific Rivers Council, who is assessing the geological soundness of the mine over the long term. From my interviews, the Pebble Partnership people say they now have the proven technology to safely seal away toxic mine tailings forever. That seems like quite a trick. Is the long-term security of Pebble's tailings dams one of the main areas of investigations -- and how do you make that assessment? Is there authority under the Clean Water Act for EPA to look into the future and veto Pebble as an unacceptable long-term risk?

4. What is the possible timing for your assessment -- and a possible decision? This is very much a background question to help my editors with planning an air date for the program. Frontline now has a tentative plan to air the Pebble program in June, 2012.

5. By a relatively narrow margin, the Lake and Peninsula Borough voted against Pebble. Will that vote be factored in to the EPA's decision?

6. Alaska state tax revenue from the Pebble Mine will be small as compared to state revenue from oil and gas drilling, under existing Alaskan law. Alaskans will see little benefit in their Permanent Fund checks from the extraction of \$300 to \$500 billion worth of copper and gold, according to the state's own auditors. For the EPA and the federal government, does that financial calculation effect the project's viability? In other words, does risking the Bristol Bay fishery make sense if the payoff to Alaska's residents is going to be quite small? This may not be the EPA's concern.

7. Finally, when and where can we do an on-camera interview?

Other question will probably come up during the conversation, but the above are the primary issues at this point.

Blaine Harden
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